

## **REMARKS**

The Office Action mailed October 8, 2008 has been given careful consideration by the applicants. Claims 1-15 remain in the application.

Reexamination and reconsideration of the application is respectfully requested in view of the comments and amendments herein.

### **The Office Action**

The Examiner rejected claims 1-14 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention.

The Examiner rejected claims 1, 3, 7, 9-10 and 12-14 under 35 U.S.C. §102(e) as being anticipated by McCalmont *et al.* (U.S. 6,771,742).

The Examiner rejected claim 1 under 35 U.S.C. §102(e) as being anticipated by Leung (U.S. 6,907,238).

The Examiner rejected claims 2, 4-6, 8 and 11 under 35 U.S.C. §103(a) as being obvious over McCalmont *et al.*

#### **I. Rejection of Claims 1-14 under 35 U.S.C. §112, Second Paragraph**

The Examiner rejected claims 1-14 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. It is respectfully requested that this rejection be withdrawn for the following reasons. Claims 1-14 have been amended to cure various informalities, including the informalities cited in the Examiner's rejection. Thus, it is respectfully requested that this rejection be withdrawn.

#### **II. Rejection of Claims 1, 3, 7, 9-10 and 12-14 Under 35 U.S.C. §102(e)**

Claims 1, 3, 7, 9-10 and 12-14 were rejected under 35 U.S.C. §102(e) as being anticipated by McCalmont *et al.* It is respectfully requested that this rejection be withdrawn for at least the following reasons. The cited reference fails to disclose or suggest the claimed subject matter.

The subject claims relate to setting up an emergency call by sending call center location data in a network. Data processing within a terminal can be mitigated, saving processing resources. To this end, independent claim 1 recites that ***the unambiguous call identifier is generated in a network node receiving the signaling message*** and that ***the unambiguous call identifier is integrated into the signaling message***. In addition, independent claim 1 recites that *a location message is generated and the unambiguous call identifier is integrated into the location message*. McCalmont *et al.* fails to disclose or suggest the claimed subject matter.

McCalmont *et al.* appears to relate to automatic routing of a request for emergency services to the correct answering point, by providing an emergency services complex boundaries for a given answering point. The Examiner contends that, at col. 5, ll. 20-27, McCalmont *et al.* discloses the claimed subject matter. Applicants aver to the contrary.

The cited passage appears to disclose querying the ALI database with an emergency services query key (ESQK) to retrieve location information. No integration is performed by the ALI database. Furthermore, the cited reference does not disclose that the ESQK is generated in a network node, nor does the cited reference disclose that the ESQK is integrated into the signaling message. Accordingly, the cited portion of the reference fails to disclose or suggest that ***the unambiguous call identifier is generated in a network node receiving the signaling message*** and that ***the unambiguous call identifier is integrated into the signaling message***, or that *a location message is generated and the unambiguous call identifier is integrated into the location message*, as claimed.

Moreover, independent claim 15 recites ***determining an unambiguous call identifier in a network node***. As mentioned *supra*, McCalmont *et al.* is silent with regard to creating an unambiguous call identifier in a network node. Thus, McCalmont fails to disclose or suggest ***determining an unambiguous call identifier in a network node***, as claimed.

In view of the foregoing, it is readily apparent that the cited portions of McCalmont fail to disclose or suggest the claimed subject matter. Accordingly, it is

respectfully requested that this rejection with respect to independent claims 1 and 15 (and associated dependent claims 3, 7, 9-10 and 12-14) be withdrawn.

### III. Rejection of Claim 1 Under 35 U.S.C. §102(e)

Claim 1 was rejected under 35 U.S.C. §102(e) as being anticipated by Leung. This rejection should be withdrawn for at least the following reasons. Leung fails to disclose or suggest each and every element of the claimed subject matter.

In particular, independent claim 1 recites that ***the unambiguous call identifier is generated in a network node receiving the signaling message*** and that ***the unambiguous call identifier is integrated into the signaling message***. In addition, independent claim 1 recites *a location message is generated and the unambiguous call identifier is integrated into the location message*. The Examiner asserts that Leung discloses the claimed subject matter at col. 6, ll. 7-58 (See Office Action dated October 8, 2008; pg. 5). Applicants aver to the contrary.

Leung appears to disclose a terminal that transmits a beacon signal during specific events, such as a 911 call. In the passage cited by the Examiner, the network directs the terminal to turn off or on the beacon. A beacon must periodically operate to provide position, which differs from an unambiguous call identifier. Furthermore, even if a beacon could somehow be construed as similar to an unambiguous call identifier, the cited passage fails to disclose or suggest generation in a network node of the unambiguous call identifier, or integration in to the signaling message. Thus, the Leung fails to disclose or suggest that ***the unambiguous call identifier is generated in a network node receiving the signaling message*** and that ***the unambiguous call identifier is integrated into the signaling message***, as claimed. In addition, Leung fails to disclose that *a location message is generated and the unambiguous call identifier is integrated into the location message*.

Furthermore, independent claim 15 recites ***determining an unambiguous call identifier in a network node***. Additionally, Leung fails to disclose or suggest this claimed aspect. As noted *supra*, Leung fails to disclose any integration or sending of the unambiguous call identifier in a signaling message, but instead, Leung transmits a beacon independently from an emergency call. Consequently, Leung fails to disclose or

suggest ***determining an unambiguous call identifier in a network node***, as recited by independent claim 15.

In view of the foregoing, it is readily apparent that the cited reference fails to recite each and every element of the subject claims. Accordingly, it is submitted that this rejection be withdrawn with respect to claims 1 and 15.

**IV. Rejection of Claims 2, 4-6, 8 and 11 Under 35 U.S.C. §103(a)**

Claims 2, 4-6, 8 and 11 have been rejected under 35 U.S.C. §103(a) as being obvious over McCalmont *et al.* It is respectfully requested that this rejection be withdrawn for at least the following reasons. Claims 2, 4-6, 8 and 11 depend from independent claim 1, and as noted *supra*, McCalmont *et al.* fails to disclose or suggest each and every element of independent claim 1. Thus, the subject claims cannot be obvious in view of McCalmont *et al.*

Furthermore, claim 8 recites *said nature of the unambiguous call identifier designates at least one number selected from: a direct dialing inwards number integrated into said signaling message and representing said terminal in the network to which it is connected, a pseudo-direct dialing inwards number integrated into said signaling message and representing said terminal in the network to which it is connected, a generic number integrated into said signaling message and representing an entity to which said terminal is attached, a generic number and a pseudo-direct dialing inward number, both integrated into said signaling message and respectively representing an entity to which said terminal is attached and said calling terminal in the network to which it is connected, a generic number and an area identifier, both integrated into said signaling message and respectively representing an entity to which said terminal is attached and a geographical area in which said terminal is situated.* The Examiner contends that the subject claim is obvious in view of McCalmont. However, applicants respectfully disagree with the Examiner's contention that the subject claim would be obvious to a person having ordinary skill in the art.

In view of the foregoing, it is readily apparent that, given the aforementioned deficiencies of McCalmont *et al.* with respect to independent claim 1 as well as claim 8,

claims 2, 4-6, 8 and 11 are not rendered obvious over McCalmont *et al.* Accordingly, it is respectfully requested that this rejection be withdrawn.

### **CONCLUSION**

For the reasons detailed above, it is respectfully submitted that all the claims remaining in the application are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone the below signed, at (216) 363-9000.

Respectfully submitted,

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Date



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